



General Assembly

**Bill No. 6502**

June 11 Special Session,  
2008

LCO No. 6727

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Referred to Committee on No Committee

Introduced by:

REP. AMANN, 118<sup>th</sup> Dist.

SEN. WILLIAMS, 29<sup>th</sup> Dist.

**AN ACT CONCERNING COMPREHENSIVE ETHICS REFORMS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2008*) As used in sections 1 to 5,  
2 inclusive, of this act:

3 (1) "Public official" means public official, as defined in section 1-79  
4 of the 2008 supplement to the general statutes, a judge of any court  
5 either elected or appointed, and any elected or appointed municipal  
6 official;

7 (2) "State or municipal employee" means state employee, as defined  
8 in section 5-154 of the general statutes, and includes an employee of  
9 any quasi-public agency, as defined in section 1-120 of the general  
10 statutes, or any person, whether appointed or under contract, who  
11 provides services for a city, town or other political subdivision of the  
12 state for which a pension is provided; and

13 (3) "Crime related to state or municipal office" means any of the

14 following criminal offenses committed by a person while serving as a  
15 public official or state or municipal employee:

16 (A) The committing, aiding or abetting of an embezzlement of  
17 public funds from the state, a municipality or a quasi-public agency;

18 (B) The committing, aiding or abetting of any felonious theft from  
19 the state, a municipality or a quasi-public agency;

20 (C) Bribery in connection with service as a public official or state or  
21 municipal employee; or

22 (D) The committing of any felony by such person who, wilfully and  
23 with the intent to defraud, realizes or obtains, or attempts to realize or  
24 obtain, a profit, gain or advantage for himself or herself or for some  
25 other person, through the use or attempted use of the power, rights,  
26 privileges or duties of his or her position as a public official or state or  
27 municipal employee.

28 Sec. 2. (NEW) (*Effective October 1, 2008*) (a) Notwithstanding any  
29 provision of the general statutes, on or after the effective date of this  
30 section, if any public official or state or municipal employee is  
31 convicted of or pleads guilty or nolo contendere to any crime related to  
32 state or municipal office in state criminal or federal criminal court, the  
33 Attorney General shall apply to the Superior Court for an order to  
34 revoke or reduce the pension of any kind to which such public official  
35 or state or municipal employee is otherwise entitled under the general  
36 statutes for service as a public official or state or municipal employee.

37 (b) In determining whether the pension shall be revoked or reduced,  
38 the Superior Court shall consider and make findings on the following  
39 factors:

40 (1) The severity of the crime related to state or municipal office for  
41 which the public official or state or municipal employee has been  
42 convicted or to which the public official or state or municipal  
43 employee has pled guilty or nolo contendere;

44 (2) The amount of monetary loss suffered by the state, a  
45 municipality or a quasi-public agency or by any other person as a  
46 result of the crime related to state or municipal office;

47 (3) The degree of public trust reposed in the public official or state  
48 or municipal employee by virtue of the person's position as a public  
49 official or state or municipal employee;

50 (4) If the crime related to state or municipal office was part of a  
51 fraudulent scheme against the state or a municipality, the role of the  
52 public official or state or municipal employee in the fraudulent scheme  
53 against the state or a municipality; and

54 (5) Any such other factors as, in the judgment of the Superior Court,  
55 justice may require.

56 (c) If the court determines, or the Attorney General certifies, that a  
57 public official or state or municipal employee, who was convicted of or  
58 pled guilty or nolo contendere to a crime related to state or municipal  
59 office, voluntarily provided information to the Attorney General, the  
60 Auditors of Public Accounts or any state, federal or local law  
61 enforcement official concerning the commission of such crime related  
62 to state or municipal office by another public official or state or  
63 municipal employee who had a greater degree of culpability for such  
64 crime than the public official or state or municipal employee providing  
65 such information, the court shall not reduce or revoke the pension of  
66 such public official or state or municipal employee, provided such  
67 public official or state or municipal employee voluntarily provided  
68 such information prior to learning of a criminal investigation into such  
69 crime related to state or municipal office.

70 (d) If the Superior Court determines that the pension of a public  
71 official or state or municipal employee should be reduced, it may, after  
72 taking into consideration the financial needs and resources of any  
73 innocent spouse, dependents and designated beneficiaries of the public  
74 official or state or municipal employee, order that some or all of the

75 reduced pension be paid to any such innocent spouse, dependent or  
76 beneficiary as justice may require.

77 (e) If the Superior Court determines that the pension of such public  
78 official or state or municipal employee should not be revoked or  
79 reduced, it shall order that the retirement or other benefit or payment  
80 be made to such public official or state or municipal employee.

81 (f) In all criminal proceedings in state or federal court in which the  
82 defendant is a public official or a state or municipal employee who is  
83 charged with a crime related to state or municipal office, the Attorney  
84 General shall notify the prosecutor of the existence of the pension  
85 revocation statute and the possibility that any fine, restitution or other  
86 monetary order made by the court may be paid from such official's or  
87 employee's pension.

88 (g) If any provision, clause or phrase of this section or of any order  
89 or any action of the Attorney General hereunder is adjudged by any  
90 court of competent jurisdiction to be invalid, or if the applicability  
91 thereof to any person or circumstance is held invalid, such judgment  
92 shall not invalidate the remainder of this section or such order or  
93 action, and the applicability thereof to other persons and  
94 circumstances shall not be affected thereby.

95 Sec. 3. (NEW) (*Effective October 1, 2008*) (a) Any public official or  
96 state or municipal employee whose pension is revoked pursuant to  
97 section 2 of this act shall be entitled to a return of his or her  
98 contribution paid into the relevant pension fund, without interest.

99 (b) Notwithstanding the provisions of subsection (a) of this section,  
100 no payments in return of contributions shall be made or ordered  
101 unless and until the Superior Court determines that the public official  
102 or state or municipal employee whose pension has been revoked  
103 pursuant to section 2 of this act has satisfied in full any judgments or  
104 orders rendered by any court of competent jurisdiction for the  
105 payment of restitution to the state or a municipality for losses incurred

106 as a result of the crime related to state or municipal office. If the  
107 Superior Court determines that the public official or state or municipal  
108 employee whose pension has been revoked under section 2 of this act  
109 has failed to satisfy any outstanding judgment or order of restitution  
110 rendered by any court of competent jurisdiction, it may order that any  
111 funds otherwise due to such public official or state or municipal  
112 employee as a return of contribution, or any portion thereof, be paid in  
113 satisfaction of the judgment or order.

114 (c) No provision of section 2 of this act or this section shall be  
115 construed to prohibit or limit any payment made pursuant to a  
116 qualified domestic relations order issued prior to any such conviction  
117 or plea by: (1) Any public official or state or municipal employee who  
118 is convicted of or pleads guilty or nolo contendere to any crime related  
119 to state or municipal office; or (2) any state or municipal agency  
120 responsible for the administration of such payment on behalf of such  
121 public official or state or municipal employee.

122 (d) Notwithstanding the provisions of section 2 of this act, no  
123 pension shall be reduced or revoked if the Internal Revenue Service  
124 determines that such reduction or revocation will negatively affect or  
125 invalidate the status of the state's government retirement plans or a  
126 municipality's government retirement plans under Section 401(a) of  
127 the Internal Revenue Code of 1986, or any subsequent corresponding  
128 internal revenue code of the United States, as from time to time  
129 amended.

130 Sec. 4. (NEW) (*Effective October 1, 2008*) If the Superior Court  
131 determines that the revocation of the pension of a state or municipal  
132 employee pursuant to section 2 of this act constitutes the unilateral  
133 breach of a collective bargaining agreement, the Superior Court shall  
134 not issue an order for the revocation of such pension. Upon such  
135 determination, the Superior Court may issue an order for the reduction  
136 of such pension provided any such reduction ordered by the Superior  
137 Court shall not exceed the amount necessary to satisfy any fine,

138 restitution or other monetary order made by the criminal court in  
139 addition to the amount necessary to pay the cost of such state or  
140 municipal employee's incarceration, as determined pursuant to section  
141 18-85a of the general statutes.

142       Sec. 5. (NEW) (*Effective October 1, 2008*) No collective bargaining  
143 agreement entered into on or after the effective date of this section  
144 shall contain any provision that limits the application of the provisions  
145 of section 2 of this act to any state or municipal employee.

146       Sec. 6. (NEW) (*Effective October 1, 2008*) (a) A public servant, as  
147 defined in section 53a-146 of the general statutes, as amended by this  
148 act, is guilty of failure to report bribery when the public servant: (1)  
149 Knows that (A) another person has attempted to bribe such public  
150 servant, as defined in section 53a-147 of the general statutes, or (B)  
151 such public servant has witnessed either (i) a person attempting to  
152 bribe another public servant, as defined in section 53a-147 of the  
153 general statutes, or (ii) another public servant commit the crime of  
154 bribe receiving, as defined in section 53a-148 of the general statutes;  
155 and (2) does not, as soon as reasonably practicable, report such crime  
156 to a law enforcement agency.

157       (b) Failure to report bribery is a class A misdemeanor.

158       Sec. 7. Section 53a-146 of the general statutes is repealed and the  
159 following is substituted in lieu thereof (*Effective October 1, 2008*):

160       For purposes of this part:

161       (1) An "official proceeding" is any proceeding held or which may be  
162 held before any legislative, judicial, administrative or other agency or  
163 official authorized to take evidence under oath, including any referee,  
164 hearing examiner, commissioner or notary or other person taking  
165 evidence in connection with any proceeding.

166       (2) "Benefit" means monetary advantage, or anything regarded by  
167 the beneficiary as a monetary advantage, including benefit to any

168 person or entity in whose welfare the beneficiary is interested.

169 (3) "Public servant" is an officer or employee of government or a  
170 quasi-public agency, as defined in section 1-120, elected or appointed,  
171 and any person participating as advisor, consultant or otherwise, paid  
172 or unpaid, in performing a governmental function.

173 (4) "Government" includes any branch, subdivision or agency of the  
174 state or any locality within it.

175 (5) "Labor official" means any duly appointed or elected  
176 representative of a labor organization or any duly appointed or elected  
177 trustee or representative of an employee welfare trust fund.

178 (6) "Witness" is any person summoned, or who may be summoned,  
179 to give testimony in an official proceeding.

180 (7) "Juror" is any person who has been drawn or summoned to serve  
181 or act as a juror in any court.

182 (8) "Physical evidence" means any article, object, document, record  
183 or other thing of physical substance which is or is about to be  
184 produced or used as evidence in an official proceeding.

185 (9) "Person selected to be a public servant" means any person who  
186 has been nominated or appointed to be a public servant.

187 Sec. 8. (NEW) (*Effective October 1, 2008*) Not later than December 31,  
188 2010, the Office of State Ethics shall establish and administer a  
189 program of mandatory training on the code of ethics for public officials  
190 as set forth in chapter 10 of the general statutes. Such program shall  
191 provide such training to members of the General Assembly upon first  
192 election to the General Assembly, and for all members of the General  
193 Assembly every four years beginning in 2011, except that, in the event  
194 there is a significant revision of the code of ethics for public officials, as  
195 determined by the Joint Committee on Legislative Management, said  
196 committee shall request that the Office of State Ethics conduct a

197 training for all members of the General Assembly before the date of the  
198 next regularly scheduled training.

199 Sec. 9. Subsection (k) of section 1-79 of the 2008 supplement to the  
200 general statutes is repealed and the following is substituted in lieu  
201 thereof (*Effective October 1, 2008*):

202 (k) "Public official" means any state-wide elected officer, any  
203 member or member-elect of the General Assembly, any person  
204 appointed to any office of the legislative, judicial or executive branch  
205 of state government by the Governor or an appointee of the Governor,  
206 with or without the advice and consent of the General Assembly, any  
207 public member or representative of the teachers' unions or state  
208 employees' unions appointed to the Investment Advisory Council  
209 pursuant to subsection (a) of section 3-13b, any person appointed or  
210 elected by the General Assembly or by any member of either house  
211 thereof, [and] any member or director of a quasi-public agency and the  
212 spouse of the Governor, but shall not include a member of an advisory  
213 board, a judge of any court either elected or appointed or a senator or  
214 representative in Congress.

215 Sec. 10. Subsection (p) of section 1-91 of the 2008 supplement to the  
216 general statutes is repealed and the following is substituted in lieu  
217 thereof (*Effective October 1, 2008*):

218 (p) "Public official" means any state-wide elected state officer, any  
219 member or member-elect of the General Assembly, any person  
220 appointed to any office of the legislative, judicial or executive branch  
221 of state government by the Governor, with or without the advice and  
222 consent of the General Assembly, the spouse of the Governor and any  
223 person appointed or elected by the General Assembly or any member  
224 of either house thereof; but shall not include a member of an advisory  
225 board or a senator or representative in Congress.

226 Sec. 11. Section 1-225 of the 2008 supplement to the general statutes,  
227 as amended by section 2 of public act 08-18, is repealed and the



228 following is substituted in lieu thereof (*Effective October 1, 2008*):

229 (a) The meetings of all public agencies, except executive sessions, as  
230 defined in subdivision (6) of section 1-200, shall be open to the public.  
231 The votes of each member of any such public agency upon any issue  
232 before such public agency shall be reduced to writing and made  
233 available for public inspection within forty-eight hours and shall also  
234 be recorded in the minutes of the session at which taken. [, which]  
235 Within seven days of the session to which such minutes refer, such  
236 minutes shall be available for public inspection [within seven days of  
237 the session to which they refer] and posted on such public agency's  
238 Internet web site, if available. Each such agency shall make, keep and  
239 maintain a record of the proceedings of its meetings.

240 (b) Each such public agency of the state shall file not later than  
241 January thirty-first of each year in the office of the Secretary of the  
242 State the schedule of the regular meetings of such public agency for the  
243 ensuing year and shall post such schedule on such public agency's  
244 Internet web site, if available, except that such [provision]  
245 requirements shall not apply to the General Assembly, either house  
246 thereof or to any committee thereof. Any other provision of the  
247 Freedom of Information Act notwithstanding, the General Assembly at  
248 the commencement of each regular session in the odd-numbered years,  
249 shall adopt, as part of its joint rules, rules to provide notice to the  
250 public of its regular, special, emergency or interim committee  
251 meetings. The chairperson or secretary of any such public agency of  
252 any political subdivision of the state shall file, not later than January  
253 thirty-first of each year, with the clerk of such subdivision the schedule  
254 of regular meetings of such public agency for the ensuing year, and no  
255 such meeting of any such public agency shall be held sooner than  
256 thirty days after such schedule has been filed. The chief executive  
257 officer of any multitown district or agency shall file, not later than  
258 January thirty-first of each year, with the clerk of each municipal  
259 member of such district or agency, the schedule of regular meetings of  
260 such public agency for the ensuing year, and no such meeting of any

261 such public agency shall be held sooner than thirty days after such  
262 schedule has been filed.

263 (c) The agenda of the regular meetings of every public agency,  
264 except for the General Assembly, shall be available to the public and  
265 shall be filed, not less than twenty-four hours before the meetings to  
266 which they refer, (1) in such agency's regular office or place of  
267 business, and (2) in the office of the Secretary of the State for any such  
268 public agency of the state, in the office of the clerk of such subdivision  
269 for any public agency of a political subdivision of the state or in the  
270 office of the clerk of each municipal member of any multitown district  
271 or agency. For any such public agency of the state, such agenda shall  
272 be posted on the public agency's and the Secretary of the State's web  
273 sites. Upon the affirmative vote of two-thirds of the members of a  
274 public agency present and voting, any subsequent business not  
275 included in such filed agendas may be considered and acted upon at  
276 such meetings.

277 (d) Notice of each special meeting of every public agency, except for  
278 the General Assembly, either house thereof or any committee thereof,  
279 shall be posted not less than twenty-four hours before the meeting to  
280 which such notice refers on the public agency's Internet web site, if  
281 available, and given not less than twenty-four hours prior to the time  
282 of such meeting by filing a notice of the time and place thereof in the  
283 office of the Secretary of the State for any such public agency of the  
284 state, in the office of the clerk of such subdivision for any public  
285 agency of a political subdivision of the state and in the office of the  
286 clerk of each municipal member for any multitown district or agency.  
287 The secretary or clerk shall cause any notice received under this section  
288 to be posted in his office. Such notice shall be given not less than  
289 twenty-four hours prior to the time of the special meeting; provided, in  
290 case of emergency, except for the General Assembly, either house  
291 thereof or any committee thereof, any such special meeting may be  
292 held without complying with the foregoing requirement for the filing  
293 of notice but a copy of the minutes of every such emergency special

294 meeting adequately setting forth the nature of the emergency and the  
295 proceedings occurring at such meeting shall be filed with the Secretary  
296 of the State, the clerk of such political subdivision, or the clerk of each  
297 municipal member of such multitown district or agency, as the case  
298 may be, not later than seventy-two hours following the holding of such  
299 meeting. The notice shall specify the time and place of the special  
300 meeting and the business to be transacted. No other business shall be  
301 considered at such meetings by such public agency. In addition, such  
302 written notice shall be delivered to the usual place of abode of each  
303 member of the public agency so that the same is received prior to such  
304 special meeting. The requirement of delivery of such written notice  
305 may be dispensed with as to any member who at or prior to the time  
306 the meeting convenes files with the clerk or secretary of the public  
307 agency a written waiver of delivery of such notice. Such waiver may be  
308 given by telegram. The requirement of delivery of such written notice  
309 may also be dispensed with as to any member who is actually present  
310 at the meeting at the time it convenes. Nothing in this section shall be  
311 construed to prohibit any agency from adopting more stringent notice  
312 requirements.

313 (e) No member of the public shall be required, as a condition to  
314 attendance at a meeting of any such body, to register the member's  
315 name, or furnish other information, or complete a questionnaire or  
316 otherwise fulfill any condition precedent to the member's attendance.

317 (f) A public agency may hold an executive session, as defined in  
318 subdivision (6) of section 1-200, upon an affirmative vote of two-thirds  
319 of the members of such body present and voting, taken at a public  
320 meeting and stating the reasons for such executive session, as defined  
321 in section 1-200.

322 (g) In determining the time within which or by when a notice,  
323 agenda, record of votes or minutes of a special meeting or an  
324 emergency special meeting are required to be filed under this section,  
325 Saturdays, Sundays, legal holidays and any day on which the office of

326 the agency, the Secretary of the State or the clerk of the applicable  
327 political subdivision or the clerk of each municipal member of any  
328 multitown district or agency, as the case may be, is closed, shall be  
329 excluded.

330 Sec. 12. Section 9-622 of the general statutes is repealed and the  
331 following is substituted in lieu thereof (*Effective October 1, 2008*):

332 The following persons shall be guilty of illegal practices and shall be  
333 punished in accordance with the provisions of section 9-623, as  
334 amended by section 15 of public act 08-2:

335 (1) Any person who, directly or indirectly, individually or by  
336 another person, gives or offers or promises to any person any money,  
337 gift, advantage, preferment, entertainment, aid, emolument or other  
338 valuable thing for the purpose of inducing or procuring any person to  
339 sign a nominating, primary or referendum petition or to vote or refrain  
340 from voting for or against any person or for or against any measure at  
341 any election, caucus, convention, primary or referendum;

342 (2) Any person who, directly or indirectly, receives, accepts,  
343 requests or solicits from any person, committee, association,  
344 organization or corporation, any money, gift, advantage, preferment,  
345 aid, emolument or other valuable thing for the purpose of inducing or  
346 procuring any person to sign a nominating, primary or referendum  
347 petition or to vote or refrain from voting for or against any person or  
348 for or against any measure at any such election, caucus, primary or  
349 referendum;

350 (3) Any person who, in consideration of any money, gift, advantage,  
351 preferment, aid, emolument or other valuable thing paid, received,  
352 accepted or promised to the person's advantage or any other person's  
353 advantage, votes or refrains from voting for or against any person or  
354 for or against any measure at any such election, caucus, primary or  
355 referendum;

356 (4) Any person who solicits from any candidate any money, gift,  
357 contribution, emolument or other valuable thing for the purpose of  
358 using the same for the support, assistance, benefit or expenses of any  
359 club, company or organization, or for the purpose of defraying the cost  
360 or expenses of any political campaign, primary, referendum or  
361 election;

362 (5) Any person who, directly or indirectly, pays, gives, contributes  
363 or promises any money or other valuable thing to defray or towards  
364 defraying the cost or expenses of any campaign, primary, referendum  
365 or election to any person, committee, company, club, organization or  
366 association, other than to a campaign treasurer, except that this  
367 subdivision shall not apply to any expenses for postage, telegrams,  
368 telephoning, stationery, express charges, traveling, meals, lodging or  
369 photocopying incurred by any candidate for office or for nomination to  
370 office, so far as may be permitted under the provisions of this chapter;

371 (6) Any person who, in order to secure or promote the person's own  
372 nomination or election as a candidate, or that of any other person,  
373 directly or indirectly, promises to appoint, or promises to secure or  
374 assist in securing the appointment, nomination or election of any other  
375 person to any public position, or to any position of honor, trust or  
376 emolument; but any person may publicly announce the person's own  
377 choice or purpose in relation to any appointment, nomination or  
378 election in which the person may be called to take part, if the person is  
379 nominated for or elected to such office;

380 (7) Any person who, directly or indirectly, individually or through  
381 another person, makes a payment or promise of payment to a  
382 campaign treasurer in a name other than the person's own, and any  
383 campaign treasurer who knowingly receives a payment or promise of  
384 payment, or enters or causes the same to be entered in the person's  
385 accounts in any other name than that of the person by whom such  
386 payment or promise of payment is made;

387 (8) Any person who knowingly and wilfully violates any provision

388 of this chapter;

389 (9) Any person who offers or receives a cash contribution in excess  
390 of one hundred dollars to promote the success or defeat of any political  
391 party, candidate or referendum question;

392 (10) Any person who solicits, makes or receives a contribution that  
393 is otherwise prohibited by any provision of this chapter;

394 (11) Any department head or deputy department head of a state  
395 department who solicits a contribution on behalf of, or for the benefit  
396 of, any candidate for state, district or municipal office or any political  
397 party;

398 (12) Any municipal employee who solicits a contribution on behalf  
399 of, or for the benefit of, any candidate for state, district or municipal  
400 office, any political committee or any political party, from (A) an  
401 individual under the supervision of such employee, or (B) the spouse  
402 or a dependent child of such individual; [or]

403 (13) Any person who makes a coordinated expenditure for a  
404 candidate without the knowledge of said candidate. No candidate  
405 shall be civilly or criminally liable with regard to any such coordinated  
406 expenditure;

407 (14) Any chief of staff of a legislative caucus who solicits a  
408 contribution on behalf of or for the benefit of any candidate for state,  
409 district or municipal office from an employee of the legislative caucus;

410 (15) Any chief of staff for a state-wide elected official who solicits a  
411 contribution on behalf of or for the benefit of any candidate for state,  
412 district or municipal office from a member of such official's staff; or

413 (16) Any chief of staff for the Governor or Lieutenant Governor who  
414 solicits a contribution on behalf of or for the benefit of any candidate  
415 for state, district or municipal office from a member of the staff of the  
416 Governor or Lieutenant Governor, or from any commissioner or

417 deputy commissioner of any state agency.

418       Sec. 13. Subsection (e) of section 1-79 of the 2008 supplement to the  
419 general statutes is repealed and the following is substituted in lieu  
420 thereof (*Effective October 1, 2008*):

421       (e) "Gift" means anything of value, which is directly and personally  
422 received, unless consideration of equal or greater value is given in  
423 return. "Gift" shall not include:

424       (1) A political contribution otherwise reported as required by law or  
425 a donation or payment as described in subdivision (9) or (10) of  
426 subsection (b) of section 9-601a;

427       (2) Services provided by persons volunteering their time, if  
428 provided to aid or promote the success or defeat of any political party,  
429 any candidate or candidates for public office or the position of  
430 convention delegate or town committee member or any referendum  
431 question;

432       (3) A commercially reasonable loan made on terms not more  
433 favorable than loans made in the ordinary course of business;

434       (4) A gift received from (A) an individual's spouse, fiance or fiancée,  
435 (B) the parent, brother or sister of such spouse or such individual, or  
436 (C) the child of such individual or the spouse of such child;

437       (5) Goods or services (A) which are provided to a state agency or  
438 quasi-public agency (i) for use on state or quasi-public agency  
439 property, or (ii) that support an event, and (B) which facilitate state or  
440 quasi-public agency action or functions. As used in this subdivision,  
441 "state property" means (i) property owned by the state or a quasi-  
442 public agency, or (ii) property leased to a state agency or quasi-public  
443 agency;

444       (6) A certificate, plaque or other ceremonial award costing less than  
445 one hundred dollars;

446 (7) A rebate, discount or promotional item available to the general  
447 public;

448 (8) Printed or recorded informational material germane to state  
449 action or functions;

450 (9) Food or beverage or both, costing less than fifty dollars in the  
451 aggregate per recipient in a calendar year, and consumed on an  
452 occasion or occasions at which the person paying, directly or  
453 indirectly, for the food or beverage, or his representative, is in  
454 attendance;

455 (10) Food or beverage or both, costing less than fifty dollars per  
456 person and consumed at a publicly noticed legislative reception to  
457 which all members of the General Assembly are invited and which is  
458 hosted not more than once in any calendar year by a lobbyist or  
459 business organization. For the purposes of such limit, (A) a reception  
460 hosted by a lobbyist who is an individual shall be deemed to have also  
461 been hosted by the business organization which he owns or is  
462 employed by, and (B) a reception hosted by a business organization  
463 shall be deemed to have also been hosted by all owners and employees  
464 of the business organization who are lobbyists. In making the  
465 calculation for the purposes of such fifty-dollar limit, the donor shall  
466 divide the amount spent on food and beverage by the number of  
467 persons whom the donor reasonably expects to attend the reception;

468 (11) Food or beverage or both, costing less than fifty dollars per  
469 person and consumed at a publicly noticed reception to which all  
470 members of the General Assembly from a region of the state are  
471 invited and which is hosted not more than once in any calendar year  
472 by a lobbyist or business organization. For the purposes of such limit,  
473 (A) a reception hosted by a lobbyist who is an individual shall be  
474 deemed to have also been hosted by the business organization which  
475 he owns or is employed by, and (B) a reception hosted by a business  
476 organization shall be deemed to have also been hosted by all owners  
477 and employees of the business organization who are lobbyists. In



478 making the calculation for the purposes of such fifty-dollar limit, the  
479 donor shall divide the amount spent on food and beverage by the  
480 number of persons whom the donor reasonably expects to attend the  
481 reception. As used in this subdivision, "region of the state" means the  
482 established geographic service area of the organization hosting the  
483 reception;

484 (12) A gift, including but not limited to, food or beverage or both,  
485 provided by an individual for the celebration of a major life event,  
486 provided any such gift provided by an individual who is not a  
487 member of the family of the recipient shall not exceed one thousand  
488 dollars in value;

489 (13) Gifts costing less than one hundred dollars in the aggregate or  
490 food or beverage provided at a hospitality suite at a meeting or  
491 conference of an interstate legislative association, by a person who is  
492 not a registrant or is not doing business with the state of Connecticut;

493 (14) Admission to a charitable or civic event, including food and  
494 beverage provided at such event, but excluding lodging or travel  
495 expenses, at which a public official or state employee participates in  
496 his official capacity, provided such admission is provided by the  
497 primary sponsoring entity;

498 (15) Anything of value provided by an employer of (A) a public  
499 official, (B) a state employee, or (C) a spouse of a public official or state  
500 employee, to such official, employee or spouse, provided such benefits  
501 are customarily and ordinarily provided to others in similar  
502 circumstances;

503 (16) Anything having a value of not more than ten dollars, provided  
504 the aggregate value of all things provided by a donor to a recipient  
505 under this subdivision in any calendar year shall not exceed fifty  
506 dollars; or

507 (17) Training that is provided by a vendor for a product purchased

508 by a state or quasi-public agency which is offered to all customers of  
509 such vendor.

510 Sec. 14. Subsection (g) of section 1-91 of the 2008 supplement to the  
511 general statutes is repealed and the following is substituted in lieu  
512 thereof (*Effective October 1, 2008*):

513 (g) "Gift" means anything of value, which is directly and personally  
514 received, unless consideration of equal or greater value is given in  
515 return. "Gift" shall not include:

516 (1) A political contribution otherwise reported as required by law or  
517 a donation or payment described in subdivision (9) or (10) of  
518 subsection (b) of section 9-601a;

519 (2) Services provided by persons volunteering their time, if  
520 provided to aid or promote the success or defeat of any political party,  
521 any candidate or candidates for public office or the position of  
522 convention delegate or town committee member or any referendum  
523 question;

524 (3) A commercially reasonable loan made on terms not more  
525 favorable than loans made in the ordinary course of business;

526 (4) A gift received from (A) the individual's spouse, fiance or  
527 fiancée, (B) the parent, brother or sister of such spouse or such  
528 individual, or (C) the child of such individual or the spouse of such  
529 child;

530 (5) Goods or services (A) which are provided to a state agency or  
531 quasi-public agency (i) for use on state or quasi-public agency  
532 property, or (ii) that support an event, and (B) which facilitate state or  
533 quasi-public agency action or functions. As used in this subdivision,  
534 "state property" means (i) property owned by the state or a quasi-  
535 public agency, or (ii) property leased to a state or quasi-public agency;

536 (6) A certificate, plaque or other ceremonial award costing less than

537 one hundred dollars;

538 (7) A rebate, discount or promotional item available to the general  
539 public;

540 (8) Printed or recorded informational material germane to state  
541 action or functions;

542 (9) Food or beverage or both, costing less than fifty dollars in the  
543 aggregate per recipient in a calendar year, and consumed on an  
544 occasion or occasions at which the person paying, directly or  
545 indirectly, for the food or beverage, or his representative, is in  
546 attendance;

547 (10) Food or beverage or both, costing less than fifty dollars per  
548 person and consumed at a publicly noticed legislative reception to  
549 which all members of the General Assembly are invited and which is  
550 hosted not more than once in any calendar year by a lobbyist or  
551 business organization. For the purposes of such limit, (A) a reception  
552 hosted by a lobbyist who is an individual shall be deemed to have also  
553 been hosted by the business organization which he owns or is  
554 employed by, and (B) a reception hosted by a business organization  
555 shall be deemed to have also been hosted by all owners and employees  
556 of the business organization who are lobbyists. In making the  
557 calculation for the purposes of such fifty-dollar limit, the donor shall  
558 divide the amount spent on food and beverage by the number of  
559 persons whom the donor reasonably expects to attend the reception;

560 (11) Food or beverage or both, costing less than fifty dollars per  
561 person and consumed at a publicly noticed reception to which all  
562 members of the General Assembly from a region of the state are  
563 invited and which is hosted not more than once in any calendar year  
564 by a lobbyist or business organization. For the purposes of such limit,  
565 (A) a reception hosted by a lobbyist who is an individual shall be  
566 deemed to have also been hosted by the business organization which  
567 he owns or is employed by, and (B) a reception hosted by a business

568 organization shall be deemed to have also been hosted by all owners  
569 and employees of the business organization who are lobbyists. In  
570 making the calculation for the purposes of such fifty-dollar limit, the  
571 donor shall divide the amount spent on food and beverage by the  
572 number of persons whom the donor reasonably expects to attend the  
573 reception. As used in this subdivision, "region of the state" means the  
574 established geographic service area of the organization hosting the  
575 reception;

576 (12) A gift, including, but not limited to, food or beverage or both,  
577 provided by an individual for the celebration of a major life event,  
578 provided any such gift provided by an individual who is not a  
579 member of the family of the recipient shall not exceed one thousand  
580 dollars in value;

581 (13) Gifts costing less than one hundred dollars in the aggregate or  
582 food or beverage provided at a hospitality suite at a meeting or  
583 conference of an interstate legislative association, by a person who is  
584 not a registrant or is not doing business with the state of Connecticut;

585 (14) Admission to a charitable or civic event, including food and  
586 beverage provided at such event, but excluding lodging or travel  
587 expenses, at which a public official or state employee participates in  
588 his official capacity, provided such admission is provided by the  
589 primary sponsoring entity;

590 (15) Anything of value provided by an employer of (A) a public  
591 official, (B) a state employee, or (C) a spouse of a public official or state  
592 employee, to such official, employee or spouse, provided such benefits  
593 are customarily and ordinarily provided to others in similar  
594 circumstances;

595 (16) Anything having a value of not more than ten dollars, provided  
596 the aggregate value of all things provided by a donor to a recipient  
597 under this subdivision in any calendar year shall not exceed fifty  
598 dollars; or

599 (17) Training that is provided by a vendor for a product purchased  
600 by a state or quasi-public agency which is offered to all customers of  
601 such vendor.

602 Sec. 15. Subsection (f) of section 1-84b of the general statutes is  
603 repealed and the following is substituted in lieu thereof (*Effective*  
604 *October 1, 2008*):

605 (f) No former public official or state employee (1) who participated  
606 substantially in the negotiation or award of (A) a state contract valued  
607 at an amount of fifty thousand dollars or more, or (B) a written  
608 agreement for the approval of a payroll deduction slot described in  
609 section 3-123g, or (2) who supervised the negotiation or award of such  
610 a contract or agreement, shall accept employment with a party to the  
611 contract or agreement other than the state for a period of one year after  
612 his resignation from his state office or position if his resignation occurs  
613 less than one year after the contract or agreement is signed. No party  
614 to such a contract or agreement other than the state shall employ any  
615 such former public official or state employee in violation of this  
616 subsection.

617 Sec. 16. Subsections (a) and (b) of section 1-82 of the general statutes  
618 are repealed and the following is substituted in lieu thereof (*Effective*  
619 *October 1, 2008*):

620 (a) (1) Upon the complaint of any person on a form prescribed by  
621 the board, signed under penalty of false statement, or upon its own  
622 complaint, the ethics enforcement officer of the Office of State Ethics  
623 shall investigate any alleged violation of this part or section 1-101nn of  
624 the 2008 supplement to the general statutes. Not later than five days  
625 after the receipt or issuance of such complaint, the board shall provide  
626 notice of such receipt or issuance and a copy of the complaint by  
627 registered or certified mail to any respondent against whom such  
628 complaint is filed and shall provide notice of the receipt of such  
629 complaint to the complainant. When the ethics enforcement officer of  
630 the Office of State Ethics undertakes an evaluation of a possible

631 violation of this part or section 1-101nn of the 2008 supplement to the  
632 general statutes prior to the filing of a complaint, the subject of the  
633 evaluation shall be notified not later than five business days after an  
634 Office of State Ethics staff member's first contact with a third party  
635 concerning the matter.

636 (2) In the conduct of its investigation of an alleged violation of this  
637 part or section 1-101nn of the 2008 supplement to the general statutes,  
638 the Office of State Ethics shall have the power to hold hearings,  
639 administer oaths, examine witnesses [,] and receive oral and  
640 documentary evidence. [,] The Office of State Ethics may subpoena  
641 witnesses under procedural rules adopted by the Citizen's Ethics  
642 Advisory Board as regulations in accordance with the provisions of  
643 chapter 54 to compel attendance before the Office of State Ethics and to  
644 require the production for examination by the ethics enforcement  
645 officer of the Office of State Ethics of any books and papers which the  
646 Office of State Ethics deems relevant in any matter under investigation  
647 or in question, provided any such subpoena is issued either pursuant  
648 to a majority vote of the Citizen's Ethics Advisory Board or pursuant to  
649 the signature of the chairperson of such board. The vice-chairperson of  
650 such board may sign any such subpoena if the chairperson of such  
651 board is unavailable. In the exercise of such powers, the Office of State  
652 Ethics may use the services of the state police, who shall provide the  
653 same upon the office's request. The Office of State Ethics shall make a  
654 record of all proceedings conducted pursuant to this subsection. The  
655 ethics enforcement officer of the Office of State Ethics may bring any  
656 alleged violation of this part before a judge trial referee assigned by the  
657 Chief Court Administrator for such purpose for a probable cause  
658 hearing. Such judge trial referee shall be compensated in accordance  
659 with the provisions of section 52-434 from such funds as may be  
660 available to the Office of State Ethics. Any witness summoned before  
661 the Office of State Ethics or a judge trial referee pursuant to this  
662 subsection shall receive the witness fee paid to witnesses in the courts  
663 of this state. During any investigation conducted pursuant to this  
664 subsection or any probable cause hearing conducted pursuant to this

665 subsection, the respondent shall have the right to appear and be heard  
666 and to offer any information which may tend to clear the respondent  
667 of probable cause to believe the respondent has violated any provision  
668 of this part or section 1-101nn of the 2008 supplement to the general  
669 statutes. The respondent shall also have the right to be represented by  
670 legal counsel and to examine and cross-examine witnesses. Not later  
671 than ten days prior to the commencement of any hearing conducted  
672 pursuant to this subsection, the Office of State Ethics shall provide the  
673 respondent with a list of its intended witnesses. Any finding of  
674 probable cause to believe the respondent is in violation of any  
675 provisions of this part shall be made by a judge trial referee not later  
676 than thirty days after the ethics enforcement officer brings such alleged  
677 violation before such judge trial referee, except that such thirty-day  
678 limitation period shall not apply if the judge trial referee determines  
679 that good cause exists for extending such limitation period.

680 (b) If a judge trial referee determines that probable cause exists for  
681 the violation of a provision of this part or section 1-101nn of the 2008  
682 supplement to the general statutes, the board shall initiate hearings to  
683 determine whether there has been a violation of this part or section 1-  
684 101nn of the 2008 supplement to the general statutes. Any such  
685 hearing shall be initiated by the board not later than thirty days after  
686 the finding of probable cause by a judge trial referee and shall be  
687 concluded not later than ninety days after its initiation, except that  
688 such thirty or ninety-day limitation period shall not apply if the judge  
689 trial referee determines that good cause exists for extending such  
690 limitation period. A judge trial referee, who has not taken part in the  
691 probable cause determination on the matter shall be assigned by the  
692 Chief Court Administrator and shall be compensated in accordance  
693 with section 52-434 out of funds available to the Office of State Ethics  
694 and shall preside over such hearing and rule on all issues concerning  
695 the application of the rules of evidence, which shall be the same as in  
696 judicial proceedings. The trial referee shall have no vote in any  
697 decision of the board. All hearings of the board held pursuant to this  
698 subsection shall be open. At such hearing the board shall have the

699 same powers as the Office of State Ethics under subsection (a) of this  
700 section and the respondent shall have the right to be represented by  
701 legal counsel, the right to compel attendance of witnesses and the  
702 production of books, documents, records and papers and to examine  
703 and cross-examine witnesses. Not later than ten days prior to the  
704 commencement of any hearing conducted pursuant to this subsection,  
705 the Office of State Ethics shall provide the respondent with a list of its  
706 intended witnesses. The judge trial referee shall, while engaged in the  
707 discharge of the duties as provided in this subsection, have the same  
708 authority as is provided in section 51-35 over witnesses who refuse to  
709 obey a subpoena or to testify with respect to any matter upon which  
710 such witness may be lawfully interrogated, and may commit any such  
711 witness for contempt for a period no longer than thirty days. The  
712 Office of State Ethics shall make a record of all proceedings pursuant  
713 to this subsection. During the course of any such hearing, no ex-parte  
714 communication shall occur between the board, or any of its members,  
715 and: (1) The judge trial referee, or (2) any staff member of the  
716 Enforcement Division of the Office of State Ethics, concerning the  
717 complaint or the respondent. The board shall find no person in  
718 violation of any provision of this part or section 1-101nn of the 2008  
719 supplement to the general statutes except upon the concurring vote of  
720 six of its members present and voting. No member of the board shall  
721 vote on the question of whether a violation of any provision of this  
722 part has occurred unless such member was physically present for the  
723 duration of any hearing held pursuant to this subsection. Not later  
724 than fifteen days after the public hearing conducted in accordance with  
725 this subsection, the board shall publish its finding and a memorandum  
726 of the reasons therefor. Such finding and memorandum shall be  
727 deemed to be the final decision of the board on the matter for the  
728 purposes of chapter 54. The respondent, if aggrieved by the finding  
729 and memorandum, may appeal therefrom to the Superior Court in  
730 accordance with the provisions of section 4-183.

731 Sec. 17. Subsections (a) and (b) of section 1-93 of the general statutes  
732 are repealed and the following is substituted in lieu thereof (*Effective*



733 October 1, 2008):

734 (a) (1) Upon the complaint of any person on a form prescribed by  
 735 the Office of State Ethics, signed under penalty of false statement, or  
 736 upon its own complaint, the ethics enforcement officer of the Office of  
 737 State Ethics shall investigate any alleged violation of this part. Not  
 738 later than five days after the receipt or issuance of such complaint, the  
 739 Office of State Ethics shall provide notice of such receipt or issuance  
 740 and a copy of the complaint by registered or certified mail to any  
 741 respondent against whom such complaint is filed and shall provide  
 742 notice of the receipt of such complaint to the complainant. When the  
 743 Office of State Ethics undertakes an evaluation of a possible violation  
 744 of this part prior to the filing of a complaint, the subject of the  
 745 evaluation shall be notified not later than five business days after a  
 746 staff member of the Office of State Ethics undertakes the first contact  
 747 with a third party concerning the matter.

748 (2) In the conduct of its investigation of an alleged violation of this  
 749 part, the Office of State Ethics shall have the power to hold hearings,  
 750 administer oaths, examine witnesses [ ] and receive oral and  
 751 documentary evidence. [ ] The Office of State Ethics may subpoena  
 752 witnesses under procedural rules adopted by the Citizen's Ethics  
 753 Advisory Board as regulations in accordance with the provisions of  
 754 chapter 54 to compel attendance before the Office of State Ethics and to  
 755 require the production for examination by the ethics enforcement  
 756 officer of the Office of State Ethics of any books and papers which the  
 757 ethics enforcement officer of the Office of State Ethics deems relevant  
 758 in any matter under investigation or in question, provided any such  
 759 subpoena is issued either pursuant to a majority vote of the Citizen's  
 760 Ethics Advisory Board or pursuant to the signature of the chairperson  
 761 of such board. The vice-chairperson of such board may sign any such  
 762 subpoena if the chairperson of such board is unavailable. In the  
 763 exercise of such powers, the Office of State Ethics may use the services  
 764 of the state police, who shall provide the same upon the office's  
 765 request. The Office of State Ethics shall make a record of all

766 proceedings conducted pursuant to this subsection. Any witness  
767 summoned before the Office of State Ethics or a judge trial referee  
768 pursuant to this subsection shall receive the witness fee paid to  
769 witnesses in the courts of this state. The ethics enforcement officer of  
770 the Office of State Ethics may bring any alleged violation of this part  
771 before a judge trial referee assigned by the Chief Court Administrator  
772 for such purpose for a probable cause hearing. Such judge trial referee  
773 shall be compensated in accordance with the provisions of section 52-  
774 434 from such funds as may be available to the Office of State Ethics.  
775 The respondent shall have the right to appear at any hearing held  
776 pursuant to this subsection and be heard and to offer any information  
777 which may tend to clear the respondent of probable cause to believe  
778 the respondent has violated any provision of this part. The respondent  
779 shall also have the right to be represented by legal counsel and to  
780 examine and cross-examine witnesses. Not later than ten days prior to  
781 the commencement of any hearing conducted pursuant to this  
782 subsection, the Office of State Ethics shall provide the respondent with  
783 a list of its intended witnesses. Any finding of probable cause to  
784 believe the respondent is in violation of any provision of this part shall  
785 be made by a judge trial referee not later than thirty days after the  
786 ethics enforcement officer brings such alleged violation before such  
787 judge trial referee, except that such thirty-day limitation period shall  
788 not apply if the judge trial referee determines that good cause exists for  
789 extending such limitation period.

790 (b) If a judge trial referee indicates that probable cause exists for the  
791 violation of a provision of this part, the board shall initiate hearings to  
792 determine whether there has been a violation of this part. Any such  
793 hearing shall be initiated by the board not later than thirty days after  
794 the finding of probable cause by a judge trial referee and shall be  
795 concluded not later than ninety days after its initiation, except that  
796 such thirty-day or ninety-day limitation period shall not apply if the  
797 judge trial referee determines that good cause exists for extending such  
798 limitation period. A judge trial referee, who has not taken part in the  
799 probable cause determination on the matter shall be assigned by the

800 Chief Court Administrator and shall be compensated in accordance  
801 with section 52-434 out of funds available to the board and shall  
802 preside over such hearing and rule on all issues concerning the  
803 application of the rules of evidence, which shall be the same as in  
804 judicial proceedings. The trial referee shall have no vote in any  
805 decision of the board. All hearings of the board held pursuant to this  
806 subsection shall be open. At such hearing the board shall have the  
807 same powers as the Office of State Ethics under subsection (a) of this  
808 section and the respondent shall have the right to be represented by  
809 legal counsel, the right to compel attendance of witnesses and the  
810 production of books, documents, records and papers and to examine  
811 and cross-examine witnesses. Not later than ten days prior to the  
812 commencement of any hearing conducted pursuant to this subsection,  
813 the Office of State Ethics shall provide the respondent with a list of its  
814 intended witnesses. The judge trial referee shall, while engaged in the  
815 discharge of the duties as provided in this subsection, have the same  
816 authority as is provided in section 51-35 over witnesses who refuse to  
817 obey a subpoena or to testify with respect to any matter upon which  
818 such witness may be lawfully interrogated, and may commit any such  
819 witness for contempt for a period no longer than thirty days. The  
820 Office of State Ethics shall make a record of all proceedings pursuant  
821 to this subsection. During the course of any such hearing, no ex-parte  
822 communication shall occur between the board, or any of its members,  
823 and: (1) The judge trial referee, or (2) any staff member of the  
824 Enforcement Division of the Office of State Ethics, concerning the  
825 complaint or the respondent. The board shall find no person in  
826 violation of any provision of this part except upon the concurring vote  
827 of [two-thirds] six of its members present and voting. No member of  
828 the board shall vote on the question of whether a violation of any  
829 provision of this part has occurred unless such member was physically  
830 present for the duration of any hearing held pursuant to this  
831 subsection. Not later than fifteen days after the public hearing  
832 conducted in accordance with this subsection, the board shall publish  
833 its finding and a memorandum of the reasons therefor. Such finding

834 and memorandum shall be deemed to be the final decision of the  
835 board on the matter for the purposes of chapter 54. The respondent, if  
836 aggrieved by the finding and memorandum, may appeal therefrom to  
837 the Superior Court in accordance with the provisions of section 4-183.

This act shall take effect as follows and shall amend the following sections:

|           |                        |                 |
|-----------|------------------------|-----------------|
| Section 1 | <i>October 1, 2008</i> | New section     |
| Sec. 2    | <i>October 1, 2008</i> | New section     |
| Sec. 3    | <i>October 1, 2008</i> | New section     |
| Sec. 4    | <i>October 1, 2008</i> | New section     |
| Sec. 5    | <i>October 1, 2008</i> | New section     |
| Sec. 6    | <i>October 1, 2008</i> | New section     |
| Sec. 7    | <i>October 1, 2008</i> | 53a-146         |
| Sec. 8    | <i>October 1, 2008</i> | New section     |
| Sec. 9    | <i>October 1, 2008</i> | 1-79(k)         |
| Sec. 10   | <i>October 1, 2008</i> | 1-91(p)         |
| Sec. 11   | <i>October 1, 2008</i> | 1-225           |
| Sec. 12   | <i>October 1, 2008</i> | 9-622           |
| Sec. 13   | <i>October 1, 2008</i> | 1-79(e)         |
| Sec. 14   | <i>October 1, 2008</i> | 1-91(g)         |
| Sec. 15   | <i>October 1, 2008</i> | 1-84b(f)        |
| Sec. 16   | <i>October 1, 2008</i> | 1-82(a) and (b) |
| Sec. 17   | <i>October 1, 2008</i> | 1-93(a) and (b) |